

Application Serial No.: 10/672,108

### RESTRICTION PRESENTED

The claims have been restricted into the following groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-31, and 42	Isolated GB 1 polypeptide and a method of preparation.
II	32-41	Isolated nucleic acid molecule and recombinant host cell. Election from among SEQ ID NOS: 5-24 also required.
III	43-46	Method of purification.
IV	47-51	Method of purification comprising a contact step; a collection step and an elution step.
V	52-56	Method of detection.

### APPLICANTS' ELECTION

Applicants hereby elect the invention of Group II, claims 32 through 41, pertaining to isolated nucleic acid molecules and recombinant host cells; and also elect the sequence of SEQ ID NO: 5. As set forth below, this election is made with a traverse in part of the Restriction Requirement.

### REMARKS

The United States Patent and Trademark Office (hereinafter "the Patent Office") asserts that claims 1-56 are pending in the subject U.S. patent application. Claims 1-56 as filed have been subjected to a Restriction/Election Requirement.

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Applicants respectfully submit that claims 1-31 were canceled in a Preliminary Amendment filed concurrently with the instant application. Accordingly, applicants respectfully submit that claims 32-56 are now pending in the subject U.S. patent application.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group II, claims 32-41, for prosecution at this time. Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

In addition to the election presented above, applicants respectfully submit that it would unduly burdensome to search all of the sequences disclosed in the subject U.S. patent application.

Applicants respectfully submit that the nucleotide sequences disclosed among SEQ ID NOs: 5-23 are characterized by at most eight (8) nucleotide changes only (*i.e.*, the sequences are all at least 95.9% identical to each other). Similarly, applicants respectfully submit that the amino acid sequences disclosed in SEQ ID NOs: 6-24 are at least 95.2% identical to each other (*i.e.*, at least 59 out of the 62 amino acids are the same).

Thus, in view of the structural relationships noted above applicants respectfully submit that the elected claims, which refer to the amino acid sequences of SEQ ID NOs: 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24, and the nucleotide sequences of SEQ ID NOs: 5, 7, 9, 11, 15, 17, 19, 21 and 23, can be searched without an undue burden. Applicants therefore respectfully submit that a search by the Patent Office

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can begin based on the election of SEQ ID NO: 5 herein, and can proceed to the additional sequences of SEQ ID NOs: 6-24.

#### CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

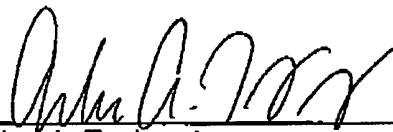
#### DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: 06/24/2005

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